



PATENT
Customer Number 22,852
Attorney Docket No. 05725.0505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David W. CANNELL et al.) Group Art Unit: 1751
Application No.: 09/838,197) Examiner: E. Elhilo
Filed: April 20, 2001)
For: COMPOSITION AND METHODS FOR)
LANTHIONIZING KERATIN FIBERS)
USING AT LEAST ONE ORGANIC)
NUCLEOPHILE AND AT LEAST ONE)
HYDROXIDE ION GENERATOR)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. § 1.132

I, Nghi Van Nguyen, declare and state that:

1. I am a U.S. citizen, residing at 8 Churchill Road, Edison, NJ 08820. I am one of the inventors of the above-referenced application, i.e., U.S. Application No. 09/838,197.
2. I was awarded a Ph.D degree in Organic Chemistry at the University of California, Irvine in 1985.
3. I have been employed by L'ORÉAL for thirteen (13) years and I am currently a Science Director at L'ORÉAL U.S.A. PRODUCTS, INC. in New Jersey.
4. Given my education and experience, I consider myself able to provide the following testimony.

5. The term "lanthionize hair" is known in the art to mean "permanently straighten hair."

6. A reducing composition disclosed in U.S. Patent No. 5,223,252 to Kolc et al. with a pH value ranging from about 7.5 to about 9.5 does not have a sufficiently high pH value to lanthionize hair. It can, at best, temporarily straighten thin or brittle hair, involving a reversible process.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/8/05

By: H. L. Lanzky, Jr.